

EXHIBIT “B”

Karl Scheuerman

From: Karl Scheuerman
Sent: Friday, March 1, 2024 9:29 AM
To: matthew@lenzalawfirm.com; office@lenzalawfirm.com
Cc: Jonathon Warner; Safa Gelardi; vito gelardi
Subject: FW: Activity in Case 1:22-cv-01032-PKC-JRC IME WatchDog, Inc. v. Gelardi et al Order on Motion to Deposit Funds
Attachments: Memorandum&OrderDatedFebruary292024.pdf
Importance: High

Dear Mr. Lenza:

Please see below Minute Order of Judge Pamela Chen directing that the net proceeds from the sale of the premises known as 148 Clay Pit Road, Staten Island, New York, not be released to the sellers and instead be delivered to Warner & Scheuerman, as attorneys, to be held in escrow. I also attach the Judge's Memorandum & Order dated February 29, 2024.

Warner & Scheuerman will also need you to deliver with the escrow check any HUD Settlement Statement or other document reflecting charges against the sale proceeds at the closing, including any closing statement prepared by your office.

It is absolutely imperative that you comply with the Judge's Order.

Thank you for your anticipated cooperation.

Karl E. Scheuerman
Warner & Scheuerman
6 West 18th Street, 10th Floor
New York, New York 10011
Office: 212-924-7111
Cell: 516-375-0645

From: ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
Sent: Thursday, February 29, 2024 2:39 PM
To: nobody@nyed.uscourts.gov
Subject: Activity in Case 1:22-cv-01032-PKC-JRC IME WatchDog, Inc. v. Gelardi et al Order on Motion to Deposit Funds

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U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 2/29/2024 at 2:39 PM EST and filed on 2/29/2024

Case Name: IME WatchDog, Inc. v. Gelardi et al

Case Number: [1:22-cv-01032-PKC-JRC](#)

Filer:

Document Number: [284](#)

Docket Text:

ORDER: For the reasons stated in the attached Memorandum and Order, Plaintiff's [270] Motion for Attachment is granted in part and denied in part, and Plaintiff's [278] Motion for a Temporary Restraining Order ("TRO") is denied as moot.

Pursuant to CPLR § 6201(3), the Court orders attachment of the net proceeds from the Individual Defendants' sale of the Staten Island Property. Within fourteen (14) days of the closing and no later than March 15, 2024, the Individual Defendants are directed to file: (1) proof that the net proceeds from the sale were deposited in the escrow account of their attorneys in this matter; (2) an accounting of all funds disbursed as part of the sale, including all closing costs.

Plaintiff is directed to post an undertaking in accordance with CPLR § 6212(b) in the sum of \$920 within fourteen (14) days of this order. Ordered by Judge Pamela K. Chen on 2/29/2024. (HMM)

1:22-cv-01032-PKC-JRC Notice has been electronically mailed to:

Steven Siegler steven@kilegal.com, karen@kilegal.com, samantha@kilegal.com, ssiegler123@gmail.com

Anthony Joseph Genovesi agenovesi@abramslaw.com, anthony@genovesi.us

Jonathon D. Warner jdwarner@warnerandscheuerman.com, diana@warnerandscheuerman.com, kescheuerman@warnerandscheuerman.com, melanie@warnerandscheuerman.com

Jamie Scott Felsen jamiefelsen@mmmlaborlaw.com

Melanie I. Wiener mwiener@abramslaw.com

Andreas Koutsoudakis andreas@kilawgroup.com, calendar@kilawgroup.com, karen@kilegal.com, samantha@kilegal.com, zoe@kilegal.com

Kenneth C. Brown kcb@alberlegal.com

James Francis Valentino james@valentinolegal.com, valentino@clayro.com, valentino.james@gmail.com

Emanuel Kataev emanuel@sagelegal.nyc, 4119461420@filings.docketbird.com, daniellalevi@levilawny.com, ekesq2014@recap.email, mail@emanuelkataev.com

Maria Zieher mzieher@zieherlaw.com

1:22-cv-01032-PKC-JRC Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP NYEDStamp_ID=875559751 [Date=2/29/2024] [FileNumber=18725439-0]
[8ee7aac62c09967242cd3f38afe257e5c7c88f3e26c28b937c7bac9c63c29fc08c7e
20b14251535e8483bcebaad4fdf7326ea4ecd017f7c205a6ad1c40bb4be4]]

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Karl Scheuerman

From: Matthew Lenza <matthew@lenzalawfirm.com>
Sent: Thursday, March 7, 2024 4:55 PM
To: Karl Scheuerman
Cc: Jonathon Warner; vito gelardi; Safa Gelardi
Subject: Re: 148 Clay Pit Road, Staten Island, New York

Loan not clear still in underwriting of course before closing i will reach out to you to confirm

On Thu, Mar 7, 2024, 4:21 PM Karl Scheuerman <kescheuerman@wslaw.nyc> wrote:

Dear Mr. Lenza,

As you know, we represent Vito and Safa Gelardi. We have been ordered to provide the Court with an update tomorrow concerning the closing of the above property. Please provide us with an update as soon as possible.

Thank you for your cooperation.

Sincerely,

Karl E. Scheuerman

Warner & Scheuerman

6 West 18th Street, 10th Floor

New York, New York 10011

Office: 212-924-7111

Cell: 516-375-0645

Karl Scheuerman

From: Matthew Lenza <matthew@lenzalawfirm.com>
Sent: Thursday, March 28, 2024 10:33 AM
To: Karl Scheuerman
Cc: Jonathon Warner; Safa Gelardi; vito gelardi
Subject: Re: 148 Clay Pit Road, Staten Island, New York

We are getting very close. I believe we should be scheduled to close next week.

-Matt

On Thu, Mar 28, 2024 at 10:27 AM Karl Scheuerman <kescheuerman@wslaw.nyc> wrote:

Matthew,

We have to provide Judge Chen with another status report regarding the closing of the above.

Please let us know the status of the transaction and whether a closing date has been scheduled.

Thank you,

Karl E. Scheuerman

Warner & Scheuerman

6 West 18th Street, 10th Floor

New York, New York 10011

Office: 212-924-7111

Cell: 516-375-0645

Karl Scheuerman

From: Matthew Lenza <matthew@lenzalawfirm.com>
Sent: Friday, April 5, 2024 10:23 AM
To: Karl Scheuerman
Cc: Jonathon Warner; Safa Gelardi; vito gelardi
Subject: Re: 148 Clay Pit Road, Staten Island, New York

Finally have a date- a week from today 4-12

On Fri, Apr 5, 2024 at 10:17 AM Karl Scheuerman <kescheuerman@wslaw.nyc> wrote:

Matt –

We need to provide the Judge with another update today. Any word on the closing?

Thanks,

Karl E. Scheuerman

Warner & Scheuerman

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New York, New York 10011

Office: 212-924-7111

Cell: 516-375-0645

From: Matthew Lenza <matthew@lenzalawfirm.com>
Sent: Thursday, March 28, 2024 10:33 AM
To: Karl Scheuerman <kescheuerman@wslaw.nyc>
Cc: Jonathon Warner <jdwarner@wslaw.nyc>; Safa Gelardi <safagelardi@gmail.com>; vito gelardi <vitogelardi@gmail.com>
Subject: Re: 148 Clay Pit Road, Staten Island, New York

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Karl Scheuerman

From: Matthew Lenza <matthew@lenzalawfirm.com>
Sent: Thursday, April 11, 2024 3:01 PM
To: Jonathon Warner
Cc: Karl Scheuerman; Safa Gelardi; vito gelardi
Subject: Re: 148 Clay Pit Road, Staten Island, New York

No, the bank attorney does not yet have the clear to close.

Jeannine Uske,
for Matthew Lenza

On Thu, Apr 11, 2024 at 11:06 AM Jonathon Warner <jdwarner@wslaw.nyc> wrote:

Are you closing tomorrow?

[Jonathon D. Warner, Esq.](#)

Warner & Scheuerman

6 West 18th Street, 10th Floor

New York, NY 10011

Office: 212.924.7111

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Cell: 917.656.4197

www.wslaw.nyc



From: Matthew Lenza <matthew@lenzalawfirm.com>
Sent: Friday, April 5, 2024 10:23 AM
To: Karl Scheuerman <kescheuerman@wslaw.nyc>
Cc: Jonathon Warner <jdwarner@wslaw.nyc>; Safa Gelardi <safagelardi@gmail.com>; vito gelardi

<vitogelardi@gmail.com>

Subject: Re: 148 Clay Pit Road, Staten Island, New York

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Thanks,

Karl E. Scheuerman

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To: Karl Scheuerman <kescheuerman@wslaw.nyc>

Cc: Jonathon Warner <jdwarner@wslaw.nyc>; Safa Gelardi <safagelardi@gmail.com>; vito gelardi <vitogelardi@gmail.com>

Subject: Re: 148 Clay Pit Road, Staten Island, New York

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Karl Scheuerman

From: Matthew Lenza <matthew@lenzalawfirm.com>
Sent: Friday, April 19, 2024 10:57 AM
To: Karl Scheuerman
Cc: vito gelardi; Safa Gelardi; Jonathon Warner
Subject: Re: Gelardi Staten Island Home

Buyer still hasn't gotten loan clearance. It's killing me. Confirming that no funds will be released to seller until confirmed with your office.

Regards,
Matthew

On Fri, Apr 19, 2024 at 9:52 AM Karl Scheuerman <kescheuerman@wslaw.nyc> wrote:

Dear Mr. Lenza,

We are required to provide the Judge with another status report today concerning the closing of or mutual clients' Cuba Hill Road property in Staten Island. Please let us know if a closing has been scheduled.

Thank you for your anticipated cooperation and patience.

Karl E. Scheuerman

Warner & Scheuerman

6 West 18th Street, 10th Floor

New York, New York 10011

Office: 212-924-7111

Cell: 516-375-0645

Karl Scheuerman

From: Matthew Lenza <matthew@lenzalawfirm.com>
Sent: Thursday, May 2, 2024 2:06 PM
To: Karl Scheuerman
Subject: Re: Gelardi/148 Clay Pitts

Hey Karl,

I think it may be dead. Im confirming today

On Thu, May 2, 2024, 2:00 PM Karl Scheuerman <kescheuerman@wslaw.nyc> wrote:

Matthew,

We have to report back to the Judge tomorrow. Any closing date yet?

Thanks again,

Karl E. Scheuerman

Warner & Scheuerman

6 West 18th Street, 10th Floor

New York, New York 10011

Office: 212-924-7111

Cell: 516-375-0645

Karl Scheuerman

From: Matthew Lenza <matthew@lenzalawfirm.com>
Sent: Friday, May 17, 2024 8:18 AM
To: Karl Scheuerman
Cc: Jonathon Warner
Subject: Re: Gelardi closing

The buyer killed the deal. I am still holding escrow for the initial downpayment and will likely need to pay it into the court.

On Fri, May 17, 2024, 7:13 AM Karl Scheuerman <kescheuerman@wslaw.nyc> wrote:

Matthew,

Please let us know the status of the closing. The Judge expects a status report today.

Thanks,

Karl E. Scheuerman

Warner & Scheuerman

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